

FILED
U.S. DISTRICT COURT
MIDDLE GEORGIA

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

FEB 13 AM 8:43

misnomer DWIGHT YORK©™,
misnomer DWIGHT D. YORK©™,
A/K/A ISSA MUHAMMAD©™,
A/K/A BABA©™,
A/K/A ISSA AL HAADI AL MAHDI©™,
A/K/A ISA ABD' ALLAH MUHAMMED©™,
A/K/A MALACHI Z. YORK EL©™,
A/K/A DR. MALACHI Z. YORK©™,
"et al"

Civil Action No. 5:08-cv-00455-CAR

Causton
DEPUTY CLERK

Noble: Malachi York El:©™

Plaintiff,

v.

UNITED STATES OF AMERICA, FEDERAL BUREAU OF PRISONS,
AGENTS/HEIRS, CHARLES ASHLEY ROYAL, EDWARD NOTTINGHAM,
MARCY E. COOK, RON WILEY, CHRIS SYNSVOLL, KRISTIN MIX,
HOWARD RICHARD SEALS, TROY EID, MICHAEL MUKASEY, JOHN SUTHERS,
DAVE GOUETTE, FREDERICK BRIGHT, RICHARD MOULTRIE, JOLAINE
WARD, TRACY BRADFORD, SALLY HEINTZYSH, MARY MANGRUM, LISA
SPEAKER, JOAN CROANIER, FBI AGENT SAVAGE, TOM CODY, BOYD N.
BOLAND, AND ZITA L. WIENSHENK

Defendants

Motion for Judicial Notice of Evidence and Adjudicated Facts

COMES NOW, is I Malachi York El:©™, Secured Party, Liberian Diplomat D/
P #003828-04, Owner in fact, Holder in due course (Pro Per), due hereby quest the Court
to take notice for the record pursuant to Federal Rules of Evidence Article II Rule 201
(b)-(f) regarding the Assistant United States Attorney Marcy E. Cook's Joint Motion To
Vacate And Reset Preliminary Pretrial Conference (**Attachment F**) filed on the 7th day of
March, 2008 in case #: 07-cv-01297-EWN-KLM. Marcy E. Cook acknowledges my

status as a Diplomat, Consul General, and Citizen for the Republic of Liberia, West Africa for the record which reads as follows:

“Plaintiff Malachi Z. York, Consul General Diplomat D/P#003828-04 of the Republic of Liberia, West Africa Citizenship, misnomer Dwight D. York (Inmate # 17911-054) [hereinafter “Plaintiff”]”

Wherein Marcy E. Cook **typed and filed** the above mentioned Joint Motion and forwarded to Leta Holden (attorney of record at the time) a Certificate of Service verifying her electronic filing of the documents to the Clerk of Court using the CM/ECF system, also see Marcy E. Cook’s Joint Motion To Vacate And Reset Dispositive Motion Deadline filed on the 4th day of March 2009 in case#: 07-cv-01297-EWN-KLM (**Attachment E**) wherein she again **typed and filed** this Joint Motion and forwarded to Leta Holden (attorney of record at the time) a Certificate of Service verifying her electronic filing of the documents with the Clerk of Court using the CM/ECF system, again acknowledging my status as a Diplomat, Consul General, and Citizen for the Republic of Liberia, West Africa for the record. Federal Rules of Evidence Article II Rule 201(b) on Judicial Notice of Adjudicative Facts states:

(b) Kinds of facts.

A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

I, Secured Party Malachi York El:©™ have also attached my Certificate of Citizenship (**Attachment B**) from the Republic of Liberia, West Africa, as well as my Diplomatic Letter signed by the presiding President Dr. Charles Ghankay Taylor (**Attachment A**), and Declaration of Intention (**Attachment C**). I have also attached my Accepted for Value Birth Certificate (**Attachment D**) as owner in fact, **Registered Holder in Due Course** in conjunction with my Amended Complaint, submitted under contract law on the 14th of January, 2009 pursuant to 46 USC § 36-301, and Rule 26 (a) Federal Rules of Civil Procedure. I prayerfully quest the court for remedy and relief in the form of Immediate Discharge from the Federal Bureau of Prisons USP Florence ADMAX U.S. Penitentiary 5880 Hwy 67, Florence, Colorado 81226 after hereby taking due judicial notice to the evidence and adjudicative facts pursuant to Federal Rules of Evidence Article 201 (b)-(f), Rule 8 of the Federal Rules of Civil Procedures, Vienna Convention on Diplomatic Relations Articles 22, 23, 29, 42 USC § 1986 (knowledge vs. negligence), 8 USC§ 1481 (repatriation), 27 CFR 72.11, 12 CFR 226.10, revised article 9 of the UCC, UCC 3-410, HJR 192 June 5th 1933, and Public Law 73-10.

Respectfully,

A handwritten signature in black ink, appearing to read 'Malachi York El:©™', written over a horizontal line.

Malachi York El:©™

Non Resident/ Non Domestic

First Class Delivery

c/o P.O. Box 181398

Denver, Colorado state

Near [80218]